

REVIEW GRANT HERESY CASE

HIS SAID TO HAVE MADE LIGHT OF BIBLE STORIES.

Presbyterian Assembly Also Hears of Charges Against President Brown of Union Seminary—Grant Accused of Denying the Devil's Existence.

ATLANTIC CITY, N. J., May 22.—The Presbyterian General Assembly began today the examination of the heresy charges against the Rev. William Grant of Northumberland, Pa., who was acquitted when tried before his own Presbyterian body whose case has been appealed to the General Assembly on the ground that the trial was improperly conducted. While the judicial commission was listening to the reading of the 300 pages of evidence taken at Dr. Grant's trial the committee on bills and overtures unexpectedly brought before the Assembly the cases of Dr. Francis Brown, president of the Union Theological Seminary, and Dr. William A. Brown, professor of systematic theology at the seminary. The committee was instructed to look into the overtures and report back to the assembly. In the evidence given at Dr. Grant's trial and now being examined by the assembly's judicial commission Dr. Grant is accused of writing and saying many things which shocked his congregation. It is charged that Dr. Grant speaking of the X. C. Psalm, which is attributed to Moses, said:

"Here are words that seem to be the utterances of a much disappointed man who was suffering from a severe attack of the blues."

A member of his congregation has testified that he said:

"Mary, Martha, Christ and Lazarus attended a party where they played games and danced a little."

The testimony under review also contains statements that Dr. Grant explained the deaths of Ananias and Sapphira by saying that "being caught unexpectedly in a barefaced lie by God caused their deaths by sudden shock to the system," and that "I feel there would be a dearth of Sunday school teachers if all should about themselves from the church but those who, before God, could claim to be less than blameless in regard to lying."

Reproduction of the Bible's account of the death of Uzziah for disregarding God's edict by reaching up to steady the ark of the covenant when it was being removed from the thresh floor of Hebron to the temple of Jerusalem is also charged against Dr. Grant, who is said to have explained that Uzziah passed away from a weak heart. It is charged too that he said:

"It would have been a physical impossibility for Jesus to climb to the top-most pinnacle of the temple of Jerusalem when tempted by Satan, because there was not room enough on the highest pinnacle for anybody."

Later on in the evidence he was charged with being responsible for the declaration that "the regular reasonable changes permitted passages of the Red Sea. It was not a miracle."

Children of his congregation are quoted as saying: "We can go ahead and do anything. Dr. Grant says there is no devil."

"Jesus did not plan his crucifixion but was attacked and crucified by a mob of Jew fanatics," was said to be another contention of the preacher during one of his sermons.

It was also testified by another church member that Dr. Grant had once declared: "Eve suffered her downfall from evil in her own heart. The snake story is just a parable."

Re-discredited Jonah, it is alleged, by saying that the men of his church ought to form a debating club "to decide whether Jonah swallowed the whale or the whale swallowed Jonah."

The statement alleged to have been made by Dr. Grant that "The parable of the prodigal son proves that there is no mediator between God and man" was taken by another witness, according to the records, to discredit the mediatory office of Jesus. An utterance during a sermon in which Dr. Grant was said to have used the words "When Christ arose if he did," was quoted by a witness who doubted Dr. Grant's belief in Christ's resurrection.

The commission spent the entire day in thrashing out the testimony in the Grant case. Another hour will be required tomorrow morning and then the prosecution and defense will each be given two hours opportunity to argue their cases. Then the consideration will be made and the findings reported to the Assembly.

The appearance of the cases of President Brown of Union Seminary and Prof. William A. Brown in the assembly was the result of an overture adopted by the West Jersey and Iowa Presbyteries after Dr. Brown's own Presbyterian body had refused to censure the Assembly.

The Presbyterian Church would be setting more charitable by taking its disabled ministers and knocking them on the head, using the same treatment on their widows and burying them in the small pittance that the board of ministerial relief has been giving them," was the declaration of the Rev. Francis Jewin of Louisville, Ky., in speaking on the report of the board to the assembly.

Commendation for Andrew Carnegie's act in establishing a liberal pension fund for college professors was given by Dr. R. L. Agnew, secretary of the board. He stated that the "example of Mr. Carnegie was a lesson to the Presbyterian body."

Statistics, according to Dr. Agnew, showed that 85 per cent. of men over 60 years of age were unable to work and dependent on others for sustenance. He also stated that but one out of every ten ministers of that age applied for aid.

There was only one unexpended cent left in the fund and the board thought Boardman fired more shots than he admitted. There were no witnesses of the shooting.

PIRATES OF THE CHU-KIANG

BOARD A STANDARD OIL TANK AND GET THE WORST OF IT.

All Hands and the Captain's Wife Were Waiting With Guns, Clubs, Cold Water, Hot Water and a Cavalryman in the Guts of a Mate—He Tells About It.

The Juteopolis, one of the four masted clippers of the Standard Oil fleet that ply between American Atlantic ports and China, docked yesterday at Bush's Stores with masting, curio, jade and a few certified yarns, spun by her stalwart mate, Harold J. Symonds, once a trooper in the New South Wales Bushmen, known also as the Imperial Horse, and a Boer war veteran who has two medals for gallantry. The mate, notwithstanding his diverse occupations, would never be mistaken for a horseman. Capt. Frank Downs of the Juteopolis and his bride, just back from a honeymoon moonlight tour, are willing to stand by the mate's yarns.

The Juteopolis was 155 days getting to Hongkong by way of the Cape of Good Hope. She had cargo to discharge for Canton and went up the Chu-Kiang River to Whampoa to do it. Her crew of thirty-four, all white men, and her officers slept on deck because it was hot. Tales of piracy had come down the river to Hongkong and all the officers slept with guns under their pillows. The river was thronged with sampans, mostly covered, the homes of the crowded population of the port. On the second night two sampans each with about thirty pirates swarmed alongside the Juteopolis. They had heard that the crew had got shore liberty and that no one was aboard but the officers and the skipper's wife, a young Baltimore woman, who is a crack shot and had her Winchester ready.

The pirates began to climb aboard up long bamboo poles, unaware that the whole ship's company was waiting for them with several lines of hose pistols, blaying pins, capstan bars, rope ends and a pump ready in emergency to shower them with scalding steam. It was not necessary to use the steam. The first pirates who swarmed over the rail ran up against three cat-o'-racts and a combined assault with the offensive things aforementioned. The water was soon full of howling pirates and the sampans got out of range in a hurry.

The skipper reported the attempt to loot his ship to the chief mandarin, who promised to make an effort to protect the Juteopolis. Later there was fighting in the streets of Whampoa and it was learned aboard ship that the chief mandarin had been assassinated.

The chief mandarin of Canton, who had heard about the pirates' attempt on the Juteopolis, invited Capt. Downs and the mate to come up the river to Canton later and see ten pirates executed. The chief mandarin said that it might be possible for the skipper or the mate to identify some of the ten among those who had failed to loot the Juteopolis. The skipper and the mate attended the executions, but did not recognize any of the pirates, chiefly because, as they remarked, all Chinamen looked alike to them. They did not enjoy the headman's work. They heard that he was expected to decapitate at the first blow and that a failure to do so could send him promptly to death by the same sword he had wielded. He did not miss a stroke.

The parents of the river district believe that if a female child falls overboard it is bad luck to attempt to rescue her and she is better drowned. It is what the mate says he learned partly by experience. The mate, who is a fine swimmer, was taking a dip in the river with some of the officers and men of the ship when they saw a year-old girl drop off a sampan. The mate reached the child first and taking her on his shoulder he swam over to the sampan. The parents and a colony of roomers on the sampan, big enough to fill a New York tenement, motioned the mate away. He was about to grasp the gunwale of the sampan when he got a clout on the head with a bamboo pole. This was followed instantly by a general bamboo assault. The mate finally swam to the Juteopolis and turned the little girl over to the skipper's bride. The baby was washed and dressed and fed and kept aboard ship until a benevolent bargeman adopted her.

Downs was Miss Nellie Carey of Baltimore. On her sea trip she shot several sea creatures, chiefly sharks. Her husband used her camera in making a picture of her between two giant sharks that she had hooked, shot and hauled aboard in the Pacific.

WILL STOP PIANO PLAYING.
Fireman Promises to Halt His Daughter's Lessons While Neighbor Is Sick.

Fireman John Roth, who lives at 1504 Second avenue, was in the Yorkville police court again yesterday in connection with the piano playing in his flat which disturbs Frederick Stout, who is seriously ill in an adjoining flat.

Magistrate House said he had made an investigation and was satisfied that young Stout was being greatly injured by the music lessons of the fireman's daughter.

"You belong to a body of men that have the reputation of being the best fire fighters in the world," the magistrate said to Roth, who was in court on a summons. "The men of your department forget family and themselves in trying to save human lives. What are you going to do in this case, where the piano playing in your family is liable to hasten the death of a neighbor?"

Roth said that he did not believe the young man was so very sick. Dr. C. J. Goeller of 421 East 126th street came forward and testified that the banging on the piano would have a serious result on his patient.

After a time Roth said he was willing to have his daughter stop using the piano in the house for a month. The magistrate then dismissed the proceedings.

O'Gorman, Battle & Marshall.
United States Senator James A. O'Gorman became a partner yesterday with George Gordon Battle and H. Snowden Marshall in a new law firm to be known as O'Gorman, Battle & Marshall. The firm will cover no fixed period but will continue at the mutual pleasure of all concerned. The firm will occupy the present offices of Battle & Marshall at 87 Wall street.

DEW'S PURE LAGER BEER.
A great aid to digestion with meals.
H. T. DEW & SONS CO., 135 Fulton St., N. Y.

DURALIUM DIRIGIBLE.

New British Airship is to Keep Over the Seas for Whole Days.

Special Cable Dispatch to THE SUN. LONDON, May 22.—Great Britain's first naval airship was launched at Barrow-in-Furness this morning. In her construction the Zeppelin idea was adopted, with modifications. The former is designed for maneuvering over land, while the new British ship, which has been built by Vickers, Sons & Maxim, will be required to scout for days on end over the sea.

The British dirigible is therefore larger than the German boat, being some 100 feet longer, and also carries a greater quantity of supplies. She can live in two elements, the air and the water. When on the water the ship will be supported by a boat-shaped car.

The vessel is 510 feet long and forty-eight feet in diameter and has a lifting capacity of twenty-one tons. She is propelled by two eight cylinder motors of 160 and 200 horse-power. She is expected to develop a speed of forty-five miles an hour.

The new metal duralium is used throughout the vessel. It is the first time that it has been used for any purpose so far as known. Duralium is lighter than aluminum and stronger than steel. It is not liable to oxidation.

STOCKING DYE TO DRINK.
Soft Stuff Sold in Indiana Turned White Fabric Dark Pink.

INDIANAPOLIS, May 22.—The food and drug department of the State Board of Health has prepared a new exhibit for the display that it uses for instructing the people in the proper selection and use of foodstuffs.

The exhibit is a dark pink stocking, dyed so as to resist the ordinary methods of laundering.

The dye used was got from a bottle of summer a-ft drink such as may be encountered at almost any soft drink establishment. The bottle from which the dye stuff was taken was sent in by an inspector and an examination in the laboratory led one of the chemists to believe that coal tar dye had been used in creating the beautiful strawberry color of the drink.

As a test about one-fourth the contents of the bottle was poured into a bowl and a white stocking was soaked in the solution for a few minutes. It came out a beautiful pink, except the heel and toe, where other yarn had been used. Repeated washings by the chemist under conditions similar to those used in laundries failed to dislodge the color.

"One might as well drink the ordinary dyes that are sold in the drug stores for dyeing woolen goods as to drink that stuff," said the chemist.

THE WRECK OF THE MAINE.
It Will Be Towed Out to Sea and Sunk Unless Congress Otherwise Directs.

WASHINGTON, May 22.—The wreck of the battleship Maine, now lying in Havana harbor, will when raised be towed out to sea and sunk in deep water unless Congress directs otherwise. Information to this effect was received by the House and Senate to-day from Secretary of War Dickinson. He forwarded a report of the board of engineers in charge of the work of raising the Maine. The board recommends that when the wreck is raised it shall be stripped of all material of value and the remains "towed out to sea and be sunk in deep water."

In his letter of transmittal Secretary Dickinson said that he has approved the recommendation of the board and that "action will be taken accordingly unless Congress shall direct otherwise."

The board's report shows the progress of work in Havana harbor up to date. The coffer dam around the wreck is practically completed. It is planned to pump the water out gradually, exposing the wreck first to a point about ten feet below the main deck. This section will be cleared of salvage, bodies and personal effects. The pumping of water will then be renewed until the next deck is cleared. This process will be repeated until all the space within the dam is clear of water.

DIES IN GRAND STAIR.
Pierdon Went to Ball Game Hoping It Would Make Him Feel Better.

Edmond F. Pierdon, of 809 St. Nicholas avenue dropped dead in the grand stair at the American League baseball park at 160th street and Broadway just before the game between New York and Pittsburgh began yesterday.

Mr. Pierdon was in the electric plating business at 125 Fulton street. He left the office yesterday and said that he felt ill and that he thought going to the game would cheer him up. He had hardly got to his seat when he died. A doctor from the Washington Heights Hospital said death was due to apoplexy.

Mr. Pierdon was 61 years old and was born in England. He had three sons, Edmond, Stanley and Frank, were in business together. Besides his sons he leaves a wife and daughter. He was a past grand master of the Alma Lodge of Free Masons and a night Templar.

Troy, N. Y., May 22.—Charles R. Hill, paying teller of the Security Trust Company, dropped dead at the baseball game between Binghamton and Troy this afternoon. The heat and excitement of a close contest were too much for Mr. Hill's weak heart and he expired while standing up urging the home team to victory.

SIXTEEN LOST IN SHIPWRECKS.
One Vessel on the Rocks and Another Missing Off Oregon Coast.

PORTLAND, Ore., May 22.—Sixteen lives are thought to have been lost in a heavy blow off the Oregon coast last night and to-day.

Thirteen members of a crew of thirty-three carried by the steam schooner Washgalore, which was wrecked on a sunken reef off Hunters Head, are missing. Fear is felt for the three men who made up the crew of the little gasoline schooner President, which was seen last night off Tillamook adrift and helpless.

The storm broke on the coast yesterday afternoon, sending all small shipping racing to cover. The Washgalore stove in her bow on the reef after her rudder was damaged. She settled and the crew put off on a very choppy sea in boats, heading for a nearby island in the darkness. One boat carrying thirteen men lost its course. Government life savers are searching for bodies.

GO TO VIRGINIA HOT SPRINGS OVER DECORATION DAY.
Special Pullman service leave New Penn. Station 12:30 P. M. daily—Adts.

ARREST T. ATHERTON BLACK

LOAN COMPANY TREASURER INDICTED FOR LARCENY.

Shortage Said to Be at Least \$15,000— Counsel for Company Understands That It Has Been Made Good—Company in Hands of Bank Department.

T. Atherton Black was arrested last night at Thirty-fourth street and Sixth avenue on a bench warrant for grand larceny in the first degree. He is treasurer of the Knickerbocker Savings and Loan Company of 38 Park row, which was closed on Saturday by order of O. H. Cheney, Superintendent of Banks.

Detective Leigh of the District Attorney's office had been looking for him since afternoon but did not find him until after midnight. Black said that he had been at a ball game in the afternoon and had no idea he was wanted. He was locked up at Police Headquarters.

Since Saturday Assistant District Attorneys Du Vivier and Adams have been going over the affairs of the concern with examiners from the Banking Department. The investigation shows that on January 5, 1910, Black drew a check for \$1,705.90. This was supposed to be in payment for seventeen shares of stock held by William K. Sparrow, a New Jersey stockholder. It is alleged that Mr. Sparrow never received the benefit of the \$1,705.90, although he frequently asked for his money back and offered to surrender his stock. It is said that Sparrow's stock is still carried on the books of the company as having been surrendered and at the same time dividends were paid to Sparrow.

District Attorney Whitman said last night that the investigation so far made showed shortages of more than \$15,000. The matter is still before the Grand Jury. A deposit was made yesterday with the State Superintendent of Banking, Orion H. Cheney, which is supposed to be sufficient to cover any probable shortage. The deposit was made at the instance of Herbert H. Gibbs of 76 William street, secretary and attorney for the company, and Joseph Oatman, its president. Mr. Gibbs said yesterday:

"The Banking Department has intimated that in the course of its examination of the affairs of the Knickerbocker Savings and Loan Company, which examination is not yet completed, a shortage has been found in the treasurer's accounts. The president of the company and myself have insisted that the treasurer should make a deposit with the Superintendent of Banks of a sum sufficient to cover the estimated amount of the shortage, and we are informed to-day that such a deposit has been made."

T. Atherton Black lives at the Republic Club. His friends were of the opinion that his work in the Knickerbocker Savings and Loan Company was taken up as an avocation. His mother is said to be rich and to have owned considerable stock in the company.

DUIVENS TO PLEAD GUILTY.
Henry J., Head of the Firm, Comes Here for the Purpose.

Henry J. Duveen, head of the art and antique importing house of Duveen Bros., will plead guilty to-day before Judge Martin in the United States Circuit Court of conspiring with other members of the firm to defraud the Government by undervaluing importations. He was to plead yesterday afternoon, but at the last moment the United States Attorney Wise moved that the matter go over until to-day as his assistant, Mr. Wemple, who has had charge of the case, was otherwise engaged. Mr. Wise will urge Judge Martin to impose a prison sentence.

Mr. Duveen has been at large on \$75,000 bail and it was supposed that he was still in England. It was learned yesterday, however, that he reached this city last Saturday. His name was not on the passenger list of either the Kaiserin Augusta Victoria or La Savoie, both of which arrived here Saturday but did not dock until Sunday because of the fog. There was a report that he came by way of Canada.

With Mr. Duveen when he appeared in court was Benjamin J. Duveen, a nephew, who is indicted with him. It is understood that the latter also will enter a plea of guilty to-day. Other members of the firm are Louis J. and Joseph J. Duveen, who are connected with the English house of Duveen Bros. and who were indicted at the same time, pleaded guilty in the Federal Circuit Court in April and were fined \$10,000 each. They came into the jurisdiction of the court here voluntarily and out of consideration for that circumstance Mr. Wise did not insist on prison sentences.

Henry J. Duveen and his three nephews were indicted here last October. The only one of the four men here at the time was Benjamin. On October 13 Henry J. arrived on the Lusitania and was released in bail. The case was originally called for trial last March, but none of the defendants appeared. While a technical default was noted on the court record arrangements were later made setting the trial down for next October. In the meantime the Government's forfeiture suit to recover more than \$1,000,000 on all imported articles tainted with fraud was settled by Duveen Bros. for \$1,180,000 and that amount was paid into the United States Treasury.

NEGRO KILLED FOR NECKTIE.
It Was Bright Green, a McTaggart Objected and There Was a Fight.

A negro named John White, who is employed in a stable at 315 West 119th street, was killed last night wearing a vivid green necktie. Standing at the bar when the negro entered was a Harlem furniture mover named James McTaggart.

"Take off that green tie," yelled McTaggart as soon as he caught sight of the cravat.

"Won't do it, boss," White answered sullenly and turned to order a drink. McTaggart grabbed for the necktie. White jumped away and then shot his fist toward McTaggart's jaw. In the fight that followed McTaggart, in the opinion of the police, must have had assistance, for when Policeman Gordon reached the saloon the negro was lying unconscious with a broken jaw, a broken nose and a fracture at the base of the skull. McTaggart had flown. White died later at the Harlem Hospital.

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TO REPAY BRITISH WELCOME.

Kaiser May Release British Spies Caught in Germany.

Special Cable Dispatch to THE SUN. LONDON, May 22.—It is reported in military circles that the Kaiser intends to signalize his satisfaction over the warmth of the reception accorded him here during his visit last week by releasing Capt. Trench and Lieut. Brandon, the two English officers now in a German fortress serving sentences for espionage.

The two officers referred to were convicted of spying on the fortifications at Borkum, and last December they were sentenced to four years imprisonment each. It was always thought that they would be pardoned in a short time by the Kaiser, but they are still in confinement. Capt. Trench, who is a descendant of Archbishop Trench, is an army officer, while Lieut. Brandon holds a commission in the British navy.

DOLLAR A DAY PENSION BILL.
House Committee Votes to Report It— Will Be Submitted to Caucus.

WASHINGTON, May 22.—At a meeting of the Committee on Invalid Pensions to-night the Sherwood "dollar a day pension" bill was ordered reported to the House. Before the measure is brought up for discussion it will be submitted to a caucus of the House Democrats. The leaders of the House majority believe that the measure will be approved by the caucus.

Various estimates have been made as to the cost of the Sherwood bill. Its author, Representative Sherwood of Ohio, chairman of the Committee on Invalid Pensions, believes that the measure in operation would entail an annual appropriation of about \$28,000,000 at the beginning, but diminishing each year. The Anderson old age pension bill now pending in the House involves an aggregate annual outlay of approximately \$55,000,000.

COUNTLESS AMONG DUSTMEN.
Divorced Mme. Potocki Found Begging for Her Dogs and Cats.

SPECIAL CABLE DISPATCH TO THE SUN. PARIS, May 22.—Countess Potocki, sister-in-law of the millionaire Count Potocki, who was divorced from her husband recently, was found to-day living among a colony of dustmen. She was in extreme poverty, but was begging food for an army of wretched cats and dogs.

The Countess was at one time one of the most handsome and fashionable women in Paris society.

FOR AMERICA'S AERO TEAM.
Weymann, Who Is Flying Abroad, Agrees to Enter Cup Race.

The Aero Club of America got word yesterday that Henry Weymann, the American aviator, who has been performing well in Europe, would accept a place on the team to represent America in the race for the international cup in July.

The club has available for the two other places Earle L. Ovington and J. V. Martin. The latter is now in Europe. A first living among a colony of dustmen. She was in extreme poverty, but was begging food for an army of wretched cats and dogs.

Weymann, it is understood, will use a Niépourt monoplane with which he averaged almost a hundred miles an hour with the wind a few days ago.

SEIXAS WILL UNWITNESSED.
May Be Acceptable, Though, for It's All in the Colonel's Own Hand.

Col. Henry O. Seixas, who shot and killed himself in Central Park last Friday, wrote out a will on August 10, 1910, but got no one to witness it. The instrument was hoped that either the Wright brothers or Glenn H. Curtiss would send over machines, but both refused, as the race would require aeroplanes constructed especially for speed.

Weymann, it is understood, will use a Niépourt monoplane with which he averaged almost a hundred miles an hour with the wind a few days ago.

Col. Seixas left to his "good and true friend," Mrs. Mary E. Bullock, \$10,000 of bonds of the Atlanta Street Railway Company and to Harriet A. Stoll the income of \$10,000 of the same bonds, which after her death go to the New Orleans Home for Incurables. Mrs. Emily H. Florence gets \$5,000 of the bonds, in which the home also has a remainder interest.

The residue of the estate is left to the testator's friend George A. Weigand of New Orleans and to his nephews in equal shares.

CONTRIBUTORY NEGLIGENCE.
Should a Lawyer Look Over the County's Chairs Before Sitting Down?

John Vernon Bouvier, Jr., was counsel for the defendant in a negligence suit on trial before Supreme Court Justice Amend yesterday in which he was trying by a long cross-examination to prove that the plaintiff was guilty of contributory negligence. Finally he sat down, and Francis X. McCallum began the redirect examination. After one question had been asked Mr. Bouvier bounced out of his chair to object, but as he did so he slid across the head of a brass tack which protruded from the seat of his chair. Part of his wearing apparel remained with the tack.

Mr. Bouvier failed to state his objection because of other business, and when the court asked him for it he blushed and repeated. Then he stated his objection, and concluded:

"Your Honor, instead of putting in new elevators in the building I think it would be well if they got some new chairs."

The court concluded later that Mr. Bouvier had proved contributory negligence and dismissed the complaint.

FRENCH DISASTER DUPLICATED.
Berlin Flier Swoops Down on Crowd— One Dead; Two Dying.

SPECIAL CABLE DISPATCH TO THE SUN. BERLIN, May 22.—An airman of the name of Swandt swooped suddenly down to-day on the spectators who had invaded the aviation course at Augsburg.

One person is dead as a result and two are dying.

FLORIDA-ATLANTA-BIRMINGHAM. Florida Club Special 12:30 P. M. Atlanta Birmingham Special 2:00 P. M. From Florida Sta. to St. Louis via Lake City. Through electric lighted sleepers. Inq. 1154 B. Way. Phone 5644 Med. 446.

COHALAN QUICKLY CONFIRMED

NO FIGHT IN THE SENATE AGAINST HIS NOMINATION.

Gets Two Republican Votes and Insurgents Like Roosevelt and Saxe Fall in Line—His Successor as Head of Tammany Law Committee to Be R. L. Luce.

ALBANY, May 22.—Gov. Dix's nomination of Daniel F. Cohalan as a Supreme Court Justice in the First district, which comprises Manhattan and Bronx boroughs, was confirmed by the State Senate to-night without a word of comment by a vote of ayes, 28; noes, 9. A majority of the Senate is twenty-six. There were fourteen absentees. Mr. Cohalan received the votes of twenty-six of the thirty Democratic Senators and of Argetzinger and Ormrod (Reps.) of Monroe. The Democrats who were absent were Burd of Erie and Harden and Sanner of Kings. The Democratic and Independence League Senator Duhamel of Kings voted against Mr. Cohalan's nomination. Such insurgents as Loomis, Roosevelt and Saxe voted for Mr. Cohalan.

There had been an effort to form a combination against Mr. Cohalan's confirmation, but when it was learned that none of the Democrats except Bayne of Richmond, Duhamel of Kings and Roosevelt of Dutchess would even consider such a proposition and that several Republican Senators would vote to confirm Mr. Cohalan this attempt was abandoned.

Mr. Cohalan will become a Supreme Court Justice as soon as he takes the oath of office, which he is at liberty to do at once. Mr. Cohalan's appointment as Justice of the Supreme Court lasts until December 31 next. He must come up for reelection at the November election. The salary of a Justice of the Supreme Court in New York county is \$17,500.

Commenting on the opposition to Cohalan Gov. Dix said to-day that he had invited the views of the Supreme Court Justices of the First Judicial district regarding the fitness of candidates to fill the vacancy and has acted in accordance with the recommendations of the Judges. Never in the history of the executive department, he said, had there been recommendations for any one for an appointment of the high quality and character which had been given Mr. Cohalan.

"If I had never had personal acquaintance with Mr. Cohalan," said Gov. Dix, "the quality and fervor of his recommendations and endorsements would have required attention and recognition."

Justice Cohalan's term as grand scribe of Tammany expired a week ago by limitation, and Charles F. Murphy and his friends are now giving desultory attention to Justice Cohalan's successor. There is no hurry about naming a new grand scribe. Justice Cohalan before he takes his place on the bench will resign as chairman of the law committee of Tammany. He is to be succeeded by Robert L. Luce, who for a number of years was secretary of the committee. Mr. Luce is a member of the Bar Association of the City of New York and a couple of months ago was proposed for Surrogate to succeed the late Abner Thomas. Gov. Dix appointed Col. Fowler. Mr. Murphy and Mr. Luce's friends in Tammany recommended his appointment to Gov. Dix and at the suggestion of Mr. Luce Mr. Murphy and others requested the Bar Association to make recommendations. In the mixup Mr. Luce's name did not appear in the recommendations and Col. Fowler got the place.

The Democratic State committee has been without a chairman since Winfield A. Huppuch was appointed to be a Public Service Commissioner for the up-State department. Talk was revived yesterday as to Mr. Huppuch's successor. Most of it was to the effect that L. E. Perkins, county chairman of Dutchess, is looked upon as the most likely man for the place.

FEARS FOR FRANCIS JOSEPH.
Aged Emperor of Austria Said to Be Suffering From Weakness.

SPECIAL CABLE DISPATCH TO THE SUN. VIENNA, May 22.—Repeated official assurances have failed to allay the popular apprehension concerning the condition of the aged Emperor Francis Joseph.

Reports continue that he is suffering from increasing physical weakness and the tone of the house was somewhat pessimistic in consequence to-day.

IRONWORKERS ARRESTED.
Two Accused of Plotting to Destroy Los Angeles House of Records.

LOS ANGELES, May